

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HERITAGE PHARMACEUTICALS INC.,

Plaintiff,

v.

JEFFREY A. GLAZER and
JASON T. MALEK,

Defendants.

Case No. 3:16-cv-08483-PGS-TJB

NOTICE OF INTERVENOR-UNITED STATES' EMERGENCY MOTION TO STAY

PLEASE TAKE NOTICE that, on January 17, 2017, or as soon thereafter as counsel may be heard, JOSEPH C. FOLIO III, Trial Attorney for the Antitrust Division of the United States Department of Justice, on behalf of the Intervenor-United States, will move the Court for a six-month stay of all proceedings.

Undersigned counsel conferred with counsel for each Defendant by telephone about this motion. By and through counsel, Defendants consent to the relief sought in this motion.

Undersigned counsel also conferred with counsel for Plaintiff by telephone and email about this motion. By and through counsel, Plaintiff will consent to the relief sought in this motion so long as Plaintiff and Defendants are able to come to an agreement on a proposed order with regard to the return of Plaintiff's claimed property and prohibitions on Defendants' use of Plaintiff's claimed proprietary information; if Plaintiff and Defendants are unable to come to an agreement, Plaintiff does not consent, and reserves its right to oppose, this motion.

Dated: December 13, 2016

Respectfully submitted,

/s/ Joseph C. Folio III

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CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2016, I electronically filed the foregoing Motion to Stay with the Clerk of Court using the CM/ECF system, which will send notification of such to the following:

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DESIGNATION PURSUANT TO LOCAL CIVIL RULE 101.1(f)

Pursuant to Local Civil Rule 101.1(f), the undersigned hereby designates the United States Attorney for the District of New Jersey to receive service of all notices or papers in this action at the following address:

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/s/ Joseph C. Folio III
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